

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
05-CA-246517Date Filed
8/12/19**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Amazon		b. Tel. No. 206-266-1000
		c. Cell No.
		f. Fax, No.
d. Address (Street, city, state, and ZIP code) Corporate: 410 Terry Ave. North, Seattle, WA, 98109-5210 DCA1 FC: 1700 Sparrows Point Blvd, Sparrows Point, MD 21219	e. Employer Representative Tim Foley, Site Manager, DCA1 Anitra Washington, HR	g. e-mail
		h. Number of workers employed 600,000
i. Type of Establishment (factory, mine, wholesaler, etc.) E-Commerce	j. Identify principal product or service various	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

1. Amazon DCA1 has neglected to give paid breaks for 4 or more of hours of work as outlined in their policy;
2. Amazon DCA1 has failed to implement rest breaks for the purpose as outlined/emphasized in their policy;
3. Amazon DCA1 quota rate system is subject to foul play (discrimination and retaliation) and associate ability misrepresentation that could affect future employment; and,
4. Amazon Ethics call/email line is not secure for making complaints about management (suspicious policy changes or behaviors).

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

(b) (6), (b) (7)(C)

4c. Cell No.

(b) (6), (b) (7)(C)

4d. Fax No.**4e. e-mail**

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements
(b) (6), (b) (7)(C) are true to the best of my knowledge and belief.

(signature)

person making charge)

(Print/type name and title or office, if any)

Address

(b) (6), (b) (7)(C)

Date

08/12/2019

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.

(b) (6), (b) (7)(C)

Fax No.**e-mail**

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

CHARGE ASSIGNMENT SHEET (EMPLOYER)

Case No.: 05-CA-246517 CA		CASE NAME: Amazon	
DATE FILED: 8/12/19		CATEGORY: <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III	
Potential 10(j) no	8(a)(2) (indicated name of union): 0	# discriminatees 8(a)(3):	# of Employees (if not currently on charge) 600,000
IO charge? Yes: <input type="checkbox"/> No: <input type="checkbox"/> <input type="checkbox"/> E-Filed Inquiry No.:		Dispute City: baltimore Dispute State:	
HOT TOPIC? Yes: <input type="checkbox"/> No: <input type="checkbox"/> No		Barg Status: <input type="checkbox"/> Existing Contract <input type="checkbox"/> None <input type="checkbox"/> Organizational Campaign <input type="checkbox"/> Seeking Initial Contract <input type="checkbox"/> Seeking Successor Contract	
COMMENTS:			
SUPERVISOR: murphy		AGENT: roberston	
8(a)(1) <input type="checkbox"/> Coercive Actions (Surveillance, etc) <input type="checkbox"/> Coercive Rules <input type="checkbox"/> Coercive Statements (Threats, Promises of Benefits, etc.) <input type="checkbox"/> Concerted Activities (Retaliation, Discharge, Discipline) <input type="checkbox"/> Denial of Access <input type="checkbox"/> Discharge of supervisor (Parker-Robb Chevrolet) <input type="checkbox"/> Interrogation (including Polling) <input type="checkbox"/> Lawsuits <input type="checkbox"/> Weingarten		8(a)(4) <input type="checkbox"/> Changes in Terms and Conditions of Employment <input type="checkbox"/> Discharge (including Layoff and Refusal to Hire) <input type="checkbox"/> Discipline <input type="checkbox"/> Refusal to Reinstate Employee/Striker <input type="checkbox"/> Shutdown or Relocate/ Subcontract Unit Work	
8(a)(2) <input type="checkbox"/> Assistance <input type="checkbox"/> Domination <input type="checkbox"/> Unlawful Recognition		8(a)(5) <input type="checkbox"/> Alter Ego <input type="checkbox"/> Failure to Sign Agreement <input type="checkbox"/> Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing) <input type="checkbox"/> Refusal to Furnish Information <input type="checkbox"/> Refusal to Hire Majority <input type="checkbox"/> Refusal to Recognize <input type="checkbox"/> Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes <input type="checkbox"/> Shutdown or Relocate (e.g. First National Maintenance).Subcontract Work	
8(a)(3) <input type="checkbox"/> Changes in Terms and Conditions of Employment <input type="checkbox"/> Discharge (Including Layoff and Refusal to Hire (not salting)) <input type="checkbox"/> Discipline <input type="checkbox"/> Lockout <input type="checkbox"/> Refusal to Consider/Hire Applicant (salting only) <input type="checkbox"/> Refusal to Reinstate Employee/Striker (e.g. Laidlaw) <input type="checkbox"/> Retaliatory Lawsuit <input type="checkbox"/> Shutdown or Relocate/ Subcontract Unit Work <input type="checkbox"/> Union Security Related Actions		8(e) <input type="checkbox"/> All Allegations against a Labor Organization <input type="checkbox"/> All Allegations against an Employer	



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlr.gov
Telephone: (410)962-2822
Fax: (410)962-2198



Download
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Mobile App

August 14, 2019

Mr. Tim Foley
Site Manager, DCA1
Amazon
410 Terry Avenue North
Seattle, WA 98109-5210

Ms. Anitra Washington, HR
Amazon
1700 Sparrows Point Boulevard
Sparrows Point, MD 21219

Re: Amazon
Case 05-CA-246517

Dear Mr. Foley and Ms. Washington:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Gregory A. Robertson whose telephone number is (410) 962-2184. If Gregory A. Robertson is not available, you may contact Supervisory Field Attorney Thomas Murphy whose telephone number is (410) 962-2538.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Nancy Wilson", is positioned above the typed name and title.

Nancy Wilson
Acting Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

05-CA-246517

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: _____**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMAZON

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 05-CA-246517

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on August 14, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Mr. Tim Foley
Site Manager, DCA1
Amazon
410 Terry Avenue North
Seattle, WA 98109-5210

Ms. Anitra Washington, HR
Amazon
1700 Sparrows Point Boulevard
Sparrows Point, MD 21219

August 14, 2019

Date

Andrew Giannasi, Designated Agent of NLRB

Name

/s/ *Andrew Giannasi*

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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Telephone: (410)962-2822
Fax: (410)962-2198



Download
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August 14, 2019

(b) (6), (b) (7)(C)

Re: Amazon
Case 05-CA-246517

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on August 12, 2019 has been docketed as case number 05-CA-246517. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Gregory A. Robertson whose telephone number is (410) 962-2184. If Gregory A. Robertson is not available, you may contact Supervisory Field Attorney Thomas Murphy whose telephone number is (410) 962-2538.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Nancy Wilson", is written over a light gray circular background.

Nancy Wilson
Acting Regional Director

Enclosure: Copy of charge

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Amazon
and

CASE 05-CA-246517

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Employer, Amazon

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME:	Michael E. Lignowski
MAILING ADDRESS:	Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103
E-MAIL ADDRESS:	mlignowski@morganlewis.com
OFFICE TELEPHONE NUMBER:	215.963.5455
CELL PHONE NUMBER:	FAX: 215.963.5001
SIGNATURE:	<i>Michael E. Lignowski/jas</i>
DATE:	8-15-19

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Amazon
and

CASE 05-CA-246517

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Employer, Amazon


IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

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(REPRESENTATIVE INFORMATION)

NAME: Ryan T. Sears	
MAILING ADDRESS: Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004	
E-MAIL ADDRESS: ryan.sears@morganlewis.com	
OFFICE TELEPHONE NUMBER: 202.739.5077	
CELL PHONE NUMBER:	FAX: 202.739.3001
SIGNATURE: <u>Ryan T. Sears</u> / 	
DATE: <u>8-15-19</u>	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

Fwd: Dropped break - Beach of Contract

From: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

To: ethics@amazon.com

Date: Saturday, July 13, 2019, 06:10 AM EDT

Today, the break was not granted, again.

Also, our scan rates drop when we take breaks. (In training I was told to sign out during our 30 min break and meal, but now we are only to sign out during meal.) It comes across as making us think twice about a break.

A week ago, I put a note on the VOA board. It remained blank for awhile. Then, it stated that someone would come to me personally to discuss my concerns. No one did. And, why not on the board for all to see?

On another note, top performers are people who scan the most per hour. However, we all get pallets with different items. There is no weighted differentiation for stowers with large items (metal tv wall mount) vs. those with small items (single usb sticks). Yet, managers "harrah" top performers without asking what they stowed.

Thank you,

(b) (6), (b) (7)(C)

DCA1

(b) (6), (b) (7)(C)

----- Forwarded message -----

From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>

Date: Fri, Jul 12, 2019, 05:56

Subject: Dropped break - Beach of Contract

To: <ethics@amazon.com>

Hello,

At DCA1, night shift has been working a portion from 1:00/1:15 am to 5:30 am without a 10/15 min break. According to MyDocs, we are supposed to get one every 4 hours. It is a part of the signed contract portion. I believe this is a breach of contract...It is not one of those situations an individual facility can change.

We should be compensated. We were not asked if we wanted to waive our right to a break.

This almost happened at my other Amazon facility (BWI5). Fortunately, the Sr. HR said that they could not take it away.

Thank you,

(b) (6), (b) (7)(C)

Re: AmazonDCA1: Follow Up

From: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C) @amazon.com
Date: Monday, August 5, 2019, 03:57 AM EDT

Hello,

I don't recall saying anything about pushing back the meal break (2nd break). That may be a way, depending on Amazon (not DCA1) meal break policy.

(b) (6) stated that I was right; and, (b) (6) doesn't/didn't know how it--the oversight--happened.

(Meal breaks at 1:15 a.m. started after Prime Week, but before my conversation with (b) (6), (b) (7)(C))

Thank you,
(b) (6), (b) (7)(C)

On Fri, Aug 2, 2019, 14:15 (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C) @amazon.com> wrote:

Hi (b) (6), (b) (7)(C),

Thanks for responding. Yes, I am glad (b) (6), (b) (7)(C) spoke with you. (b) (6), (b) (7)(C) shared with me during the conversation you suggested the second break be pushed back when we work an 11hour shift to allow for a more even period.

(b) (6), (b) (7)(C) did not discuss the need to follow up with you regarding anything.

I saw in your below email you attached the rest break policy. I did want to clarify that this was an Amazon policy put in place for buildings which do two 15min breaks and one 30min unpaid break. Over the past few years buildings have switched to the 30min breaks. This is a change from Amazon policy, but is not against any state laws.

Does this help clarify your concerns? I'm not sure I fully understand your frustrations. Please reply and share if this helps or if you need time for us to discuss further.

I look forward to hearing from you.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) DCA1



Work hard. Have fun. Make history.

ERC (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>
Sent: Saturday, July 27, 2019 7:28 AM
To: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@amazon.com>
Subject: Re: AmazonDCA1: Follow Up

Hello,

(b) (6), (b) (7)(C) came to me personally and agreed with me. (b) (6) stated (b) (6) does not know how that happened. (b) (6) was going to look into it further.

I've attached the policy.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

On Wed, Jul 24, 2019, 18:31 (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@amazon.com> wrote:

Hello (b) (6), (b) (7)(C),

I am (b) (6), (b) (7)(C), the (b) (6), (b) (7)(C) at DCA1. I tried to call you today, I am sorry we weren't able to connect. I am writing to connect with you regarding the concern you submitted regarding the breaks here at DCA1. I know you are (b) (6), (b) (7)(C), which means you work 12hrs each shift. The break schedule for (b) (6), (b) (7)(C) is for one 30 minute paid break, one 30 minute unpaid break, and one 15 minute paid break. You should have this EVERY night you work a 12hr shift. If the shift is reduced to a 10hr or 11hr shift you will not have the last 15 minute break. Is something different happening during your shift?

Every associate in the FC is allowed at a minimum one paid break and one unpaid. The intentions of this is to allow you to rest, but to still pay you for the time in the facility. However you are not help to scanning and you definitely should not have to "think twice about taking the break" in the first place. Please take each and every one of your breaks! ☺ Each associate has the same break set up, so your scan rate should not be affected.

I hope this helps to alleviate some of your concerns, however if you wish to speak a little more about it please reply back and we can set up a time to discuss.

Thank you,

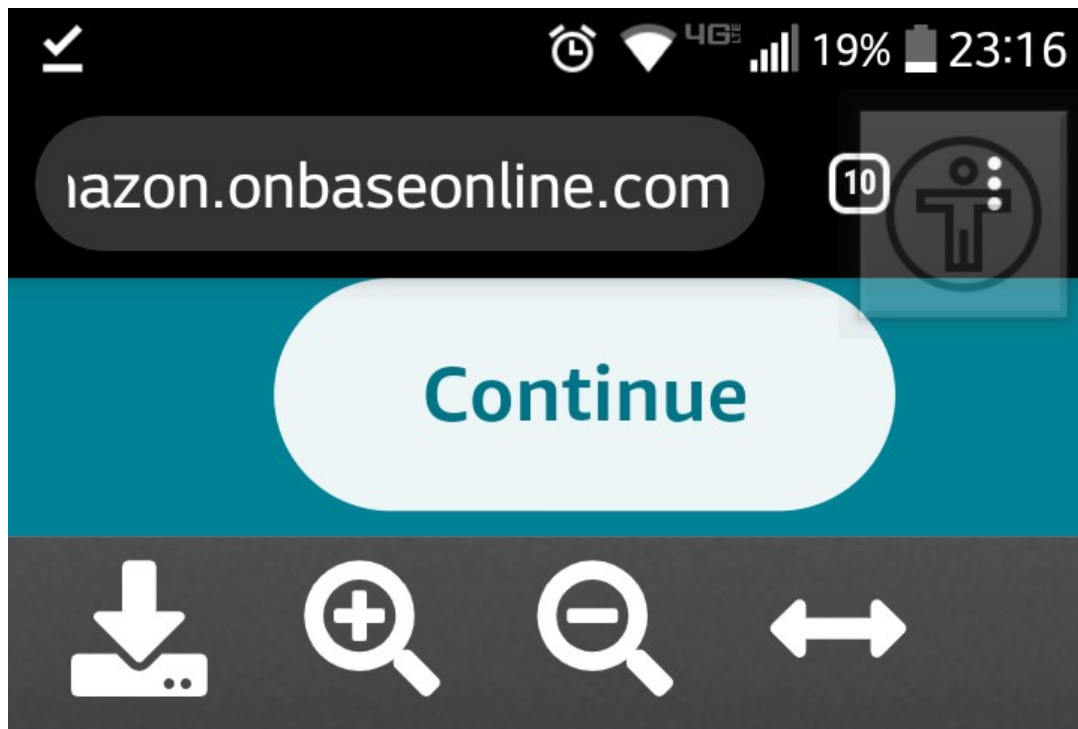
(b) (6), (b) (7)(C) | (b) (6), (b) (7)(C) DCA1

e: (b) (6), (b) (7)(C)@amazon.com

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50



image001.jpg
4.3kB



Rest Breaks – Amazon provides all associates a minimum ten (10) minute break for every four (4) hours worked, or major fraction thereof. These rest breaks are paid and associates should not clock in or out for them. Rest breaks should not be skipped or cut short. Associates may not waive their right to required rest breaks. Should business or personal needs require an adjustment to a rest break, associates must consult with their manager or HR representative to reschedule their rest break(s).

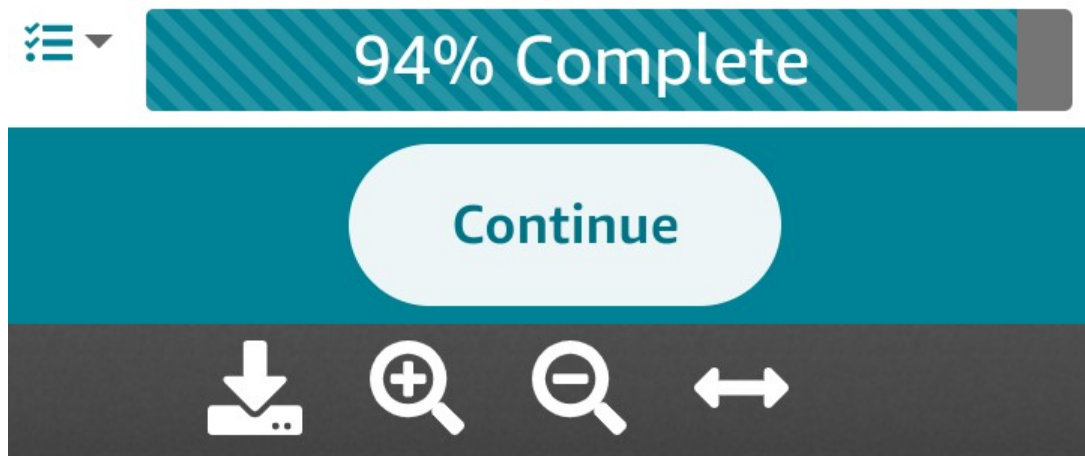
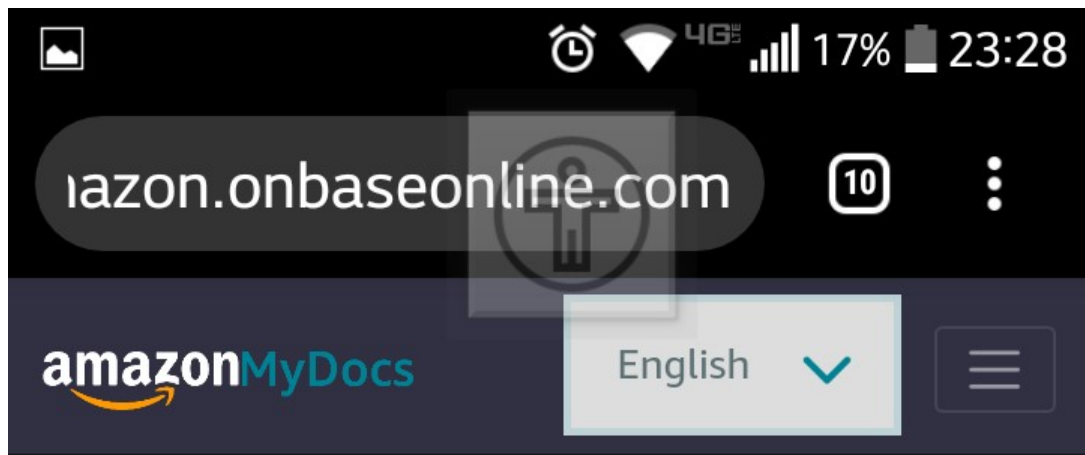
Nursing Mother's Break – Amazon recognizes that nursing mothers may need additional, reasonable break time to express breast milk in a private space. Where possible, associates should use their regularly scheduled paid rest breaks and unpaid meal period time for this purpose. However, if additional time is needed, associates will be provided with additional unpaid break time. Associates should contact their manager or HR representative for additional information on designated facilities and the scheduling of additional reasonable break time, if needed.

TRAVEL TIME

Hourly associates may be asked to travel for work purposes from time to time. The following principles apply in determining whether time spent in travel is paid time:

Home To Work – The time an associate spends commuting to and from home on regular workdays is not counted as hours worked. However, if an associate is required to perform work while traveling, then the time spent performing such work must always be reported as working time.





MEAL PERIOD AND REST BREAKS

Your safety and wellness is important to Amazon. Working hard also includes taking appropriate meal periods and rest breaks. Amazon provides the following unpaid meal periods and paid rest breaks depending on your shift and in accordance with federal and state law. All hourly associates are expected to take these meal periods and rest breaks.

Meal Periods – All associates working greater than five hours are required to take a work-free 30-minute meal period. In accordance with state law, associates working less than a six (6) hour shift may be permitted to waive their meal period with management approval. Associates should contact their manager or HR representative for site specific information.

The meal period for associates working in **California, Illinois, Kentucky, New Hampshire, Oregon, and Washington State** must start no later than five (5) hours into the associate's shift.

Example: An associate working in Kentucky clocks-in and starts working at 7:00 am. The meal



From: [McClurkin, Stacey](#)
To: (b) (6), (b) (7)(C)
Subject: Amazon, NLRB Charge 05-CA-246517
Date: Wednesday, September 25, 2019 4:15:00 PM

Good Afternoon (b) (6), (b) (7)(C),

I am the Board agent who has been assigned to investigate a charge you have filed against your Employer, Amazon. Please give me a call at the number listed below so that we may discuss the allegations raised in this charge.

Thank you,

Stacey McClurkin
Field Attorney
National Labor Relations Board, Region Five
Bank of America Center -- Tower II
100 South Charles Street, Suite 600
Baltimore, MD 21201
Tele.: (410) 962-2200
Fax: (410) 962-2198
Cell: (202) 679-6678

From: [Robertson, Gregory A.](#)
To: (b) (6), (b) (7)(C)
Subject: NLRB Charge Against Amazon
Date: Thursday, September 26, 2019 1:42:00 PM

Hi (b) (6), (b) (7)(C),

I'm the NLRB attorney you spoke with previously. I have a little more info for you regarding the article you read online about Amazon's productivity standards and how it relates to your charge. Please give me a call when you get a chance at the number below. I will be in the office until about 6:15.

Thanks,

Alex Robertson
Field Attorney
National Labor Relations Board, Region 5
(410) 962-2184
gregory.robertson@nrlb.gov

From: [Robertson, Gregory A.](#)
To: (b) (6), (b) (7)(C)
Subject: RE: NLRB Charge
Date: Friday, October 4, 2019 1:20:50 PM
Attachments: [LTR.05-CA-246517.Letter Unilaterally Scheduling CP Appointment.pdf](#)

Hi (b) (6), (b) (7)(C),

Since I have been unable to reach you since 9/26, I have scheduled you to provide an affidavit next Friday 10/11 at 10:00 a.m. Please see the attached letter and call me at your earliest convenience. Failure to respond or appear for the appointment will result in dismissal of your charge for lack of cooperation.

Thanks,

Alex Robertson
Field Attorney
National Labor Relations Board, Region 5
(410) 962-2184
gregory.robertson@nrlb.gov

From: Robertson, Gregory A.
Sent: Thursday, September 26, 2019 1:44 PM
To: (b) (6), (b) (7)(C)
Subject: NLRB Charge

Hi (b) (6), (b) (7)(C),

I'm the NLRB attorney you spoke with previously. I have a little more info for you regarding the article you read online about Amazon's productivity standards and how it relates to your charge. Please give me a call when you get a chance at the number below. I will be in the office until about 6:15.

Thanks,

Alex Robertson
Field Attorney
National Labor Relations Board, Region 5
(410) 962-2184
gregory.robertson@nrlb.gov



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlr.gov
Telephone: (410)962-2822
Fax: (410)962-2198

Agent's Direct Dial: (410)962-2184

October 4, 2019

Sent by regular mail and by email

(b) (6), (b) (7)(C)

Re: Amazon
Case 05-CA-246517

Dear (b) (6), (b) (7)(C):

I left you voicemails on September 26 and October 3, 2019, about scheduling a time for you to provide an affidavit in support of your charge. I emailed you at the address provided in your charge on September 26. However, you have not responded to schedule an affidavit interview.

Because I have been unable to reach you since September 26, the Region has scheduled you to provide an affidavit for:

**Friday, October 11, 2019, at 10:00 a.m. at the
Baltimore Regional Office (address in header above)**

If you cannot appear for the interview, or if the date or time scheduled above is inconvenient, please notify me as soon as possible by Thursday, October 10, so that another appointment may be scheduled for a date and time more convenient for you on or before October 11. You can always withdraw the charge and re-file at a time at which you are able to cooperate.

If you fail to appear as scheduled, and do not notify me before missing your appointment, this office will assume you are not interested in proceeding with this matter and do not intend to cooperate. This will result in dismissal of your case with no further investigation by this Agency.

Very truly yours,

/s/ G. Alexander Robertson

G. Alexander Robertson
Field Attorney

From: (b) (6), (b) (7)(C)
To: [Robertson, Gregory A.](#)
Subject: Re: NLRB Charge
Date: Wednesday, October 9, 2019 4:29:01 PM

Hello,

I am sorry for the lack of communication. I work overnight shifts in a highly manual labor role, so I am asleep during the day.

We we'll need to postpone the meeting for a Monday at anytime.

Thank you,

(b) (6), (b) (7)(C)
[Redacted]

On Fri, Oct 4, 2019, 13:20 Robertson, Gregory A. <Gregory.Robertson@nlrb.gov> wrote:

Hi (b) (6), (b) (7)(C),

Since I have been unable to reach you since 9/26, I have scheduled you to provide an affidavit next Friday 10/11 at 10:00 a.m. Please see the attached letter and call me at your earliest convenience. Failure to respond or appear for the appointment will result in dismissal of your charge for lack of cooperation.

Thanks,

Alex Robertson

Field Attorney

National Labor Relations Board, Region 5

(410) 962-2184

gregory.robertson@nlrb.gov

From: Robertson, Gregory A.
Sent: Thursday, September 26, 2019 1:44 PM
To: (b) (6), (b) (7)(C)
Subject: NLRB Charge

Hi (b) (6), (b) (7),

I'm the NLRB attorney you spoke with previously. I have a little more info for you regarding the article you read online about Amazon's productivity standards and how it relates to your charge. Please give me a call when you get a chance at the number below. I will be in the office until about 6:15.

Thanks,

Alex Robertson

Field Attorney

National Labor Relations Board, Region 5

(410) 962-2184

gregory.robertson@nlrb.gov

From: (b) (6), (b) (7)(C)
To: [Robertson, Gregory A.](#)
Subject: Re: Screenshot (Oct 10, 2019 15:39:56)
Date: Thursday, October 10, 2019 5:06:02 PM

Make sure you give them a copy of your letter...as I will to the agency that reviews government agencies.

On Thu, Oct 10, 2019, 16:07 Robertson, Gregory A. <Gregory.Robertson@nlrb.gov> wrote:

Hi (b) (6), (b) (7)(C),

The letter clearly sets a deadline of tomorrow for you to provide an affidavit. I will talk with my superiors, but I expect that they will dismiss your charge if you don't provide an affidavit by the end of the day tomorrow. This is especially true when you're still not offering any dates on which you are available in the near future. If you were to offer a date for next week, that might help change their minds.

Unfortunately having a busy schedule does not excuse a charging party from the duty to promptly provide an affidavit. That is why, unless there are any issues with timeliness of an allegation, it might make sense to simply withdraw your charge and re-file when you have availability to meet with a Board agent.

I would suggest that you give me a call to discuss these issues and the issues with the merits of your case as I requested in my last email.

Thanks,

Alex Robertson

Field Attorney

National Labor Relations Board, Region 5

(410) 962-2184

gregory.robertson@nlrb.gov

From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)>
Sent: Thursday, October 10, 2019 3:46 PM
To: Robertson, Gregory A. <Gregory.Robertson@nlrb.gov>
Subject: Screenshot (Oct 10, 2019 15:39:56)

Hello,

I am sorry, but your letter says something different.

I work 12 hour shifts Thursday through Saturday. I work overtime other days.

I will contact Stacy McClurkin on Monday.

Have a nice weekend,

(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlr.gov
Telephone: (410)962-2822
Fax: (410)962-2198

October 15, 2019

(b) (6), (b) (7)(C)

Re: Amazon
Case 05-CA-246517

Dear (b) (6), (b) (7)(C):

We have carefully considered your charge that Amazon has violated the National Labor Relations Act.

Decision to Dismiss: In view of your lack of cooperation in investigating this case, I have determined that further proceedings are not warranted at this time and I am dismissing your charge.

Your charge alleges that Amazon violated Section 8(a)(1) of the National Labor Relations Act in four respects. This includes failing to adhere to break policies, maintaining a quota system that is unfair, and not ensuring security with respect to calls to an ethics hotline.

By letter from this office dated August 14, 2019, you were advised that, as the party who filed the charge in this case, it was your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. You were cautioned that your failure to present evidence would result in dismissal of your case with no further investigation by this Agency.

You became unresponsive to communications from the Board agent assigned to your case starting on September 26. The Board left you a voicemail and emailed you on September 26 without response. The Board agent left you another voicemail on October 3. Again, you did not return this call. Because of your unresponsiveness, a letter was sent to you by mail and email on October 4 scheduling you to provide an affidavit at 10:00 a.m. on October 11. The letter expressed flexibility in rescheduling to another time, but it clearly established a deadline of October 11 to provide an affidavit and of October 10 to reschedule to a time within that deadline.

You only contacted the Board agent after receiving the letter on October 9. In emails sent on October 9-10, you refused to make yourself available for an affidavit by October 11, even though the agent offered to accommodate your schedule outside of normal office hours. You also refused to offer availability for the following week. Ultimately, you did not appear to provide an affidavit as scheduled at 10:00 a.m. on October 11.

Therefore, you have failed to satisfy your duty to cooperate in the investigation because you did not make yourself available to provide a sworn affidavit. You were on notice of this duty through the August 14 letter from this office. Nonetheless, you became unresponsive for almost two weeks and did not meet the deadline for providing an affidavit that the Region was forced to set because of your unresponsiveness.

If you wish to refile this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **October 29, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 28, 2019. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 29, 2019**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 29, 2019, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/ Nancy Wilson

Nancy Wilson
Acting Regional Director

Enclosure

cc: Michael E. Lignowski, Esq.
Morgan, Lewis & Bockius, LLP
1701 Market St.
Philadelphia, PA 19103-2901

Ryan T. Sears, Esq.
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Ave., N.W.
Washington, D.C. 20004-2541

Ms. Anitra Washington
HR
Amazon
1700 Sparrows Point Boulevard
Sparrows Point, MD 21219

Mr. Tim Foley
Site Manager, DCA1
Amazon
410 Terry Avenue North
Seattle, WA 98109-5210

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)